

REMARKS

The applicant notes with appreciation the acknowledgement of the claim for priority under section 119 and the notice that all of the certified copies of the priority documents have been received.

The applicant acknowledges and appreciates receiving an initialed copy of the form PTO-1449 that was filed on July 28, 2005 and January 29, 2004.

Claims 1 – 26 are pending. Claims 11, 12, 16 and 17 have been allowed, and claims 8 and 14 have been indicated as allowable if rewritten. The applicant respectfully requests reconsideration and allowance of this application in view of the above amendments and the following remarks.

The specification has been amended to correct any cosmetic error which was detected.

Page 6 of the office action indicates that claims 8 and 14 would be allowable if rewritten in independent form. Accordingly, claims 8 and 14 have been rewritten as new claims 18 and 25, respectively. An indication of allowability is respectfully requested.

Claims 1, 2 and 13 were rejected under 35 USC 102(b) as being anticipated by WO 92/20096, Horten et al. (“Horten”). Claims 4 - 6 were rejected under 35 USC 103(a) as being unpatentable over Horten. Claim 3 was rejected under 35 USC 103(a) as being unpatentable over Horten in view of U.S. Patent No. 4,966,031, Mochizuki (“Mochizuki”). Claim 7 was rejected under 35 USC 103(a) as being unpatentable over Horten in view of U.S. Patent No. 5,714,409, Parsons (“Parsons”). Claim 15 was rejected under 35 USC 103(a) as being unpatentable over Horten in view of U.S. Patent No. 6,720,361, Tasaka et al. (“Tasaka”). Independent claims 1 and 13 have been amended; support for the amendment is located in the specification, for example, page 15, lines 17 – 20 and page 17, lines 11 – 18. Claims 2 – 4, 6 – 8

and 14 have been amended to conform to the revised independent claims or to correct cosmetic defects.

Insofar as the rejection may be applied to the claims as amended, the rejection is respectfully traversed for reasons including the following, which are provided by way of example.

Claim 1 recites, in combination, for example, “an electronic collision sensor for outputting an electric signal in accordance with a physical displacement of a sensing portion of the sensor, the displacement being caused by collision with an object;” and “a vibration damping member ... for damping a high-frequency vibration in a frequency band equal to or higher than 1kHz ...” (E.g., claim 1; see also claim 13.) Thereby, the collision sensor outputs an electric signal in accordance with a physical displacement of a sensing portion caused by collision with an object. The vibration damping member damps high-frequency vibration in a frequency band equal to or higher than 1 kHz to suppress the high-frequency vibration transmitted to the electronic collision sensor through said casing.

As explained in the specification, when operating in a condition such as a vehicle accident, a vibration entering the sensor device can include a variety of frequency components. The frequency components can be classified into first and second groups of frequency components having, respectively, low frequency and high frequency bands. The first group of frequency components is lower than 1 kHz and is necessary for judging a vehicle collision. The second group of frequency components is equal to or higher than 1 kHz and is unnecessary for judging a vehicle collision. (See page 17, lines 11 – 23.)

Consequently, one or more aspects provide that frequency components unnecessary for judging a vehicle collision can be damped by the vibration damping member. Accordingly, the

collision can be accurately determined by the collision sensor detecting the first group of frequency components.

Without conceding that Horten discloses any feature of the present invention, Horten is directed to an arrangement for encasing a functional device. According to Horten, a cavity of a casing component can be filled with a solution such as liquid and/or gel material, a silicon resin or an electrically insulating liquid (abstract lines 1 – 10; page 2, lines 30 - 34).

The office action asserts that Horten discloses the invention as claimed. To the contrary, Horten fails to teach or suggest the invention, as presently claimed, when the claims are considered as a whole. For example, Horten fails to teach either a collision sensor or a frequency band of vibration damped by these solutions and/or resin. Further, these materials exhibit a low degree of hardness, so that a frequency band of vibration damped by these materials is generally lower than 1 kHz. Accordingly, Horten fails to teach or suggest a vibration damping member as recited in claims 1 and 13.

Horten fails to teach or suggest, for example, these elements recited in independent claims 1 and 13. It is respectfully submitted therefore that claims 1 and 13 are patentable over Horten.

For at least these reasons, the combination of features recited in independent claims 1 and 13, when interpreted as a whole, is submitted to patentably distinguish over the prior art. In addition, Horten clearly fails to show other recited elements as well.

With respect to the rejected dependent claims, applicant respectfully submits that these claims are allowable not only by virtue of their dependency from independent claims 1 and 13, but also because of additional features they recite in combination.

It is therefore respectfully requested that the rejections of claims 1 – 7 and 13 – 15 be withdrawn.

Claims 9 – 10 were rejected under 35 USC 103(a) as being unpatentable over JP 55102255, Sugimoto et al. (“Sugimoto”). Claim 9 has been amended; support for the amendment is located in the specification, for example, page 27, line 16 to page 32, line 8. Insofar as the rejection may be applied to the claims as amended, the rejection is respectfully traversed for reasons including the following, which are provided by way of example.

Independent claim 9 is directed to a ceramic package for an electronic component. Claim 9 recites in combination, for example, a main body on which an electronic component is mounted; a metallic electrode attached to said main body prior to the mounting of said electronic component on said main body said electronic component being mounted on said main body so as to be electrically connected with said metallic electrode; and a lead bonded to said metallic electrode by welding after the mounting of said electronic component on said main body such that said metallic electrode prevents an influence of the welding from being exerted on said electronic component.

As described in the specification, in operation, when a ceramic package is manufactured, the metallic electrode is initially attached to the main body without an electronic component, and then an electronic component is mounted on the main body. Finally, the lead is bonded to the metallic electrode by welding. In the welding, although current flows through the metallic electrode, current flowing toward the electronic component is suppressed. Therefore, the metallic electrode can prevent the welding from influencing the electronic component. Consequently, the ceramic package can prevent the electronic component from being damaged by the welding current or voltage. In addition, when the electronic component is mounted on the

main body, the main body has no lead. Therefore, the electronic component can be mounted on the main body without a projection on an external surface thereof. This allows the electronic component to be easily mounted on the main body.

On the other hand, without conceding that Sugimoto discloses any feature of the present invention, Sugimoto is directed to a ceramic enclosing device. According to Sugimoto, metallic-electrode-support rings (or leads) (3, 4) are brazed to top and bottom end surfaces (1b, 1c) of an alumina-ceramic body (1) prior to the mounting of an element (or electronic component) (7) on the ceramic body (1). Then, the element (7) is enclosed in the ceramic body (1), and electrodes (5, 6) are contacted with the element (7). Then, the electrodes (5, 6) are brazed and fixed to support rings (3, 4). In Sugimoto, because brazing of the support rings (3, 4) to the ceramic body (1) is performed at a high temperature, the element (7) must be mounted on the ceramic body (1) after brazing the support rings (3, 4) to the ceramic body (1). Therefore, the ceramic body (1) has projections on the external surface, making it problematic to mount the element (7) on the ceramic body (1).

Also, ceramic packages are generally classified depending on the shapes of leads bonded to the package; many types of leads with various shapes are used for the package. In Sugimoto, because it is required to braze the support rings (3, 4) to the ceramic body (1) prior to the mounting of the element (7) on the ceramic body (1), many types of packages can be produced before the element (7) is mounted. Therefore, it is troublesome to mount a particular element on a package of a corresponding type selected from many packages of various types.

In contrast, claim 9 recites “a metallic electrode attached to said main body prior to the mounting of said electronic component on said main body.” Consequently, it is easier to mount

electronic components of various types on ceramic packages of the same types, leading to more efficient manufacture.

To properly reject a claimed invention, the examiner must establish a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness with respect to a claimed invention, all the claim limitations must be taught or suggested by the prior art reference (or references when combined). *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Moreover, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. If the examination at the initial stage does not produce a *prima facie* case of unpatentability, then without more the applicant is entitled to grant of patent. *In re Oetiker*, 24 U.S.P.Q.2d 1443, 1444 (Fed. Cir. 1992).

The applicant provided above a selection of some examples of limitations in the claims which are neither taught nor suggested by Sugimoto. Moreover, it will be appreciated that Sugimoto operates in a fundamentally different way than the claimed invention. Hence, Sugimoto fails to teach or suggest the combination of features recited in independent claim 9, when considered as a whole.

Applicant respectfully submits that rejected dependent claim 10 is allowable not only for reasons including those provided above, but also because of addition features it recites in combination.

It is therefore respectfully requested that the rejection of claims 9 – 10 be withdrawn.

New claims 18 – 26 have been added to further define the invention, and are believed to be patentable for reasons including these set out above. Claims 18 and 25 are rewritten in independent form as allowable claims, as suggested in the office action. Support for new claims

19 – 24 and 26 is located in the specification as filed, for example, claims 2 - 7, and page 29, line 14 – page 30, line 13.

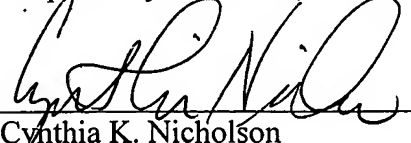
Applicant respectfully submits that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. Applicant does not concede that the cited prior art shown any of the elements recited in the claims. However, applicant has provided specific examples of elements in the claims that are clearly not present in the cited prior art.

Applicant strongly emphasizes that one reviewing the prosecution history should not interpret any of the examples applicant has described herein in connection with distinguishing over the prior art as limiting to those specific features in isolation. Rather, for the sake of simplicity, applicant has provided examples of why the claims described above are distinguishable over the cited prior art.

In view of the foregoing, the applicant respectfully submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



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